

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IRA LEE SMITH,

No. C-11-5784 EMC (pr)

Plaintiff,

v.

**ORDER OF DISMISSAL**


WARREN RUPF, Sheriff; *et al.*,

Defendants.

On June 4, 2012, mail was sent from the Court to Plaintiff at the address he provided in his most recent filing and was returned undelivered on June 12, 2012, marked "return to sender" and "not in custody." More than sixty days have passed since the mail was returned to the Court undelivered. Plaintiff has failed to comply with Local Rule 3-11(a) which requires that a party proceeding *pro se* must "promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address" when his address changes. Local Rule 3-11(b) allows the Court to dismiss a complaint without prejudice when mail directed to a *pro se* party is returned as not deliverable and the *pro se* party fails to send a current address within sixty days of the return of the undelivered mail. This action is dismissed without prejudice because Plaintiff failed to keep the Court informed of his address in compliance with Local Rule 3-11(a). The Clerk shall close the file.

IT IS SO ORDERED.

Dated: September 25, 2012

  
EDWARD M. CHEN  
United States District Judge